

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Shimmick Construction Company, Inc./) File Number: EB-09-LA-0068
Obayashi Corporation, Joint Venture)
Licensees of Stations WQER756, WQEN793,) NAL/Acct. No.: 200932900007
WQJI360 & WQKG818) FRN: 0019140391
Yorba Linda, CA)

FORFEITURE ORDER

Adopted: May 10, 2010

Released: May 12, 2010

By the Regional Director, Western Region, Enforcement Bureau:

1. In this Forfeiture Order ("Order"), we issue a monetary forfeiture in the amount of four thousand dollars (\$4,000) to Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, ("Shimmick-Obayashi"), in Yorba Linda, California, licensees of stations WQER756, WQEN793, WQJI360 and WQKG818, for repeated violation of Section 1.903(a) of the Commission's Rules ("Rules").

2. On September 28, 2009, the Enforcement Bureau's Los Angeles District Office issued a Notice of Apparent Liability for Forfeiture ("NAL") in the amount of \$4,000 to Shimmick-Obayashi for failing to operate only in accordance with the rules applicable to their particular service as set forth in the Commission's Rules and with a valid authorization granted by the Commission, in violation of Section 1.903(a) of the Rules.

3. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 503(b) of the Act, and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules, Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, IS LIABLE FOR A MONETARY FORFEITURE in the amount of \$4,000 for repeatedly violating Section 1.903(a) of the Act.

1 47 C.F.R. § 1.903(a).
2 Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 200932900007 (Enf. Bur., Western Region, Los Angeles District Office, released September 28, 2009).
3 47 U.S.C. § 503(b).
4 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).
5 47 C.F.R. § 1.903(a).

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁶ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures. Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, shall also send electronic notification on the date said payment is made to WR-Response@fcc.gov.

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, at its address of record.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau

⁶ 47 U.S.C. § 504(a).